

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA**

**UNITED STATES OF AMERICA**

v.

**SENTENCING MINUTES**

**ZALDY N. SABINO**

Case No. 1:19CR109

HONORABLE LIAM O'GRADY presiding  
Proceeding Held: February 14, 2020  
Deputy Clerk: Amanda

Time Called: 9:54 a.m.  
Time Concluded: 10:55 a.m.  
Court Reporter: S. Wallace

**Appearances:**

UNITED STATES OF AMERICA by:  
ZALDY N. SABINO in person and by:

Edward Sullivan, Jack Hanly  
James Webster, Christine Bonomo, Kenneth Fetterman,  
Mike Guzman  
☐ Interpreter Sworn

INTERPRETER: None

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> The parties have no objections to the factual statements in the PSR   | <input type="checkbox"/> The parties have no objections to the application of the guidelines in the PSR   |
| <input type="checkbox"/> Objections/corrections to factual statements in PSR by <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant | <input checked="" type="checkbox"/> Objections/corrections to application of guidelines by <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant |

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> The government presents sentencing argument: Recommends low end of guideline range sentence. | <input checked="" type="checkbox"/> The defendant presents sentencing argument: Requests no more than five years imprisonment. |
| <input checked="" type="checkbox"/> Defendant exercises right of allocution.   | <input checked="" type="checkbox"/> The court imposes sentence.  |
| <input type="checkbox"/> The government dismisses count(s) _____.  | <input checked="" type="checkbox"/> Defendant advised of appeal rights.  |

**SENTENCING GUIDELINES:**

Offense Level: 38

Criminal History: I

Imprisonment Range: 235-293 months (restrictions apply)

Statutory Provisions: Counts 1: 5 years, Count 2: 15 years, Counts 7-14: 20 years, Counts 15-17: 5 years

Supervised Release Range: 1-3 years

Fine Range: \$50,000.00 - \$1,565,588.79

Restitution: NA

SA: \$1,300.00 (100/count)

- Mr. Guzman presents objections to the guideline calculation.
- Mr. Sullivan responds and presents argument.
- Court finds that the guidelines are properly calculated at 18.
- Mr. Guzman presents further objections on the guideline calculation.

- Mr. Sullivan responds and presents argument.
- Mr. Guzman replies.
- Court does not modify enhancement for multiple bribes.
- Mr. Guzman presents arguments on financials.
- Court does not modify table in PSR re: financials but will consider the objected information.
- Paragraph 88 to be modified re: dividend income.
- Defendant's oppose Government's motion for forfeiture.
- Court would like defense to file a formal opposition. Opposition to be filed within 10 business days.

**SENTENCE IMPOSED:**

<b>Imprisonment:</b>	<u>60</u>	Months as to Count(s)	<u>One</u>	of the Indictment.
	<u>87</u>	Months as to Count(s)	<u>Two</u>	of the Indictment.
	<u>87</u>	Months as to Count(s)	<u>7-14</u>	Of the Indictment.
	<u>24</u>	Months as to Count(s)	<u>15-17</u>	Of the Indictment.
	_____		_____	

Imprisonment term for each count to be served ☒ concurrently ☐ consecutively.

TOTAL TERM OF IMPRISONMENT IMPOSED: 87 months with credit for time served.

**Probation:** \_\_\_\_\_ Years as to Count(s) \_\_\_\_\_ of the \_\_\_\_.

**Supervised Release:** Three Years as to Count(s) 1,2,7-14,15-17 of the Indictment.  
 \_\_\_\_\_ Years as to Count(s) \_\_\_\_\_ of the \_\_\_\_.

**MONETARY PENALTIES**

**Special Assessment:** \$ 1,300.00 due immediately

**Fine:** \$ 25,000.00 ☐ fine waived

**Restitution:** \$ NA ☐ determination deferred

**JOINT AND SEVERAL PAYMENTS**

☐ Fine and/or ☐ Restitution is **joint and several** with \_\_\_\_.

☐ Repayment of Buy Money is **joint and several** with \_\_\_\_.

**FORFEITURE**

☒ All property forfeited upon conviction or by order of the court shall be included in the criminal judgment.

**RECOMMENDATIONS**

☒ The court recommends the defendant's placement at Morgantown, WV or similar minimum-security facility.

☐ The court recommends the defendant's participation in the Bureau of Prisons' 500-hour drug treatment program.

☒ Other: Facility to address health issues.

**CUSTODY**

☒ The defendant is remanded to the custody of the U.S. Marshal Service.

☐ The defendant is to voluntarily surrender at the institution designated by the Bureau of Prisons as notified by the U.S. Probation Office; ☐ on or after \_\_\_\_.

## CONDITIONS OF SUPERVISED RELEASE/PROBATION

### Special Conditions

- |   |  |
|---|--|
| <input type="checkbox"/> Drug Testing – Special Condition               | <input type="checkbox"/> Home Confinement for _____ days                           |
| <input type="checkbox"/> Drug Testing – Standard Condition              | <input type="checkbox"/> Home Confinement with Alcohol Testing for _____ days      |
| <input type="checkbox"/> Drug Testing – Waived                          | <input type="checkbox"/> Community Correctional Center: _____ days                 |
| <input type="checkbox"/> Monthly Restitution Payment: \$ _____          | <input type="checkbox"/> Residential Re-Entry Center: _____ days                   |
| <input checked="" type="checkbox"/> Monthly Fine Payment: \$ 500.00     | <input type="checkbox"/> Cooperate with Bureau of Immigration/Customs              |
| <input type="checkbox"/> Repay Buy Money – Total: \$ _____.             | <input type="checkbox"/> Cooperate with IRS  |
| <input type="checkbox"/> Repay Buy Money: \$ _____/month                | <input type="checkbox"/> Cooperate with Child Support                              |
| <input checked="" type="checkbox"/> No New Lines of Credit              | <input checked="" type="checkbox"/> Participate in mental health treatment program |
| <input checked="" type="checkbox"/> Financial Disclosure                | <input type="checkbox"/> Participate in sex offender assessment/treatment          |
| <input type="checkbox"/> Submit to search by USPO                       | <input type="checkbox"/> Waive confidentiality – sex offender treatment            |
| <input type="checkbox"/> No tavern employment or patronization          | <input type="checkbox"/> No sexually-explicit materials w/minors                   |
| <input type="checkbox"/> No employment with fiduciary responsibilities  | <input type="checkbox"/> No possession/viewing of pornography or erotica           |
| <input type="checkbox"/> No gambling                                    | <input type="checkbox"/> Obtain GED or HSED  |
| <input type="checkbox"/> No transfer of assets in excess of \$500.00    | <input type="checkbox"/> No contact – unrelated children under 18                  |
| <input type="checkbox"/> No possession/use of computer – on-line access | <input type="checkbox"/> No contact with victim(s)                                 |
| <input type="checkbox"/> No possession/use of data encryption/erasure   | <input type="checkbox"/> No contact with gang members                              |
| <input type="checkbox"/> Provide computer passwords and logons          | <input type="checkbox"/> Perform community service: _____ hours                    |
| <input type="checkbox"/> Consent to computer searches                   | <input checked="" type="checkbox"/> No business in contracting or with money       |
| <input type="checkbox"/>  |  |